

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Blue Spike, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

v.

AMANO CINCINNATI, INC.,

Defendant.

CASE NO. 6:13-cv-109 MHS

CONSOLIDATED CASE

Jury Trial Demanded

DECLARATION OF RANDALL GARTEISER IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO DEFENDANT
AMANO CINCINNATI, INC.'S MOTION TO DISMISS [DKT. 577]

I, Randall T. Garteiser, declare as follows:

1. I, Randall T. Garteiser, am a partner in the law firm of Garteiser Honea, P.C. We represent Plaintiff Blue Spike LLC in this lawsuit. I have personal knowledge of the information contained in this declaration and can testify to the truth of these statements.

2. Attached hereto as Exhibit 1 is a true and correct copy of an article in Amano Cincinnati, Inc.'s website titled "Time Guardian Series: Managing the In's and Out's of Your Business" accessed on April 15, 2013. In this marketing pamphlet, Amano describes the benefits and uses of its Time Guardian software.

3. Attached hereto as Exhibit 2 is a true and correct copy of a document titled “Report and Recommendation of United States Magistrate Judge” filed in *Patent Harbor, LLC v. DreamWorks Animation SKG, Inc.*, No. 6:11-cv-229 (E.D. Tex. July 27, 2012) as docket item 486.

4. Attached hereto as Exhibit 3 is a true and correct copy of a list of some of Amano’s products available on its website, accessed on April 15, 2013. The products listed are Amano’s “biometric terminals.”

I declare on April 15, 2013, in Marin County under penalty of perjury under the laws of the United States and California that the statements made in this declaration are true and correct.

/s/ Randall Garteiser
Randall T. Garteiser